

AMENDMENTS TO THE DRAWINGS:

Please add the attached new sheet showing Figures 3A and 3B of the drawings.

REMARKS

Favorable reconsideration of this application as amended is respectfully requested.

The specification has been amended to overcome the objection thereto and to provide a description of Figures 3A and 3B on a new sheet of drawing, which illustrates a pyramidal foot of a mandrel. A polygonal cross-section is adequately illustrated in Fig. 5, wherein the foot 24 of the mandrel has a rectangular shape. See the paragraph at the bottom of page 10 of the specification. It is evident that the cross-section of the entire mandrel may have such a shape, for example.

The claims have been amended, where appropriate, to overcome the rejection under 35 U.S.C. § 112, second paragraph. With regard to Claim 3, the shank end per se is open in Figs. 1 and 3. The end face (25) of the shank recited in base Claim 1 is an annular end face of a cylindrical shank. It does not close the end of the shank in Figs. 1 and 3.

The claims have also been amended, where appropriate, to overcome the rejections under 35 U.S.C. § 102(b) and § 103(a).

The principal reference, Tendler, is a wall anchor bolt to which a bolt 21 has a threaded shank 22 and a head 23

that abuts a washer 26 that abuts a flange 4,5 of a sleeve 1. A cylindrical nut 18 has a tapered nose-portion 20 that forms a continuation of the sleeve 1 and that has an opening through which an elongated needle-like wall-piercing point 28 projects.

In the use of the anchor bolt of Tendler, the needle-like wall-piercing point 28 forms a hole in the wall as the anchor bolt is driven into the wall until the flanges 4, and 5 are flush with the wall. The head 23 of the bolt remains in abutment with the washer 26, which remains in abutment with the flanges 4, 5. The bolt 21 is then further threaded into the nut 18 by turning the head 23 to collapse band sections 10 as the threaded bolt projects farther from the nut, as shown in Fig. 10.

Unlike the anchor bolt of Tendler, the fastener element recited in independent Claims 1 and 2 uses a mandrel with a head (23) spaced from the sethead (4) of the hollow shank (27), as shown in Fig. 1, for example, of Applicant's drawings, so that the mandrel can be pulled by a tool (15) to deform the deformation segment (2). This pulling action does not involve turning the mandrel about its axis, unlike the bolt 21 of Tendler. Once the mandrel of Applicant's invention is initially threaded into the shank to connect

the mandrel to the shank, there is no further turning of the mandrel about its axis.

Furthermore, as recited in independent Claims 1 and 2, a blunt projection is provided centrally of the face (25). In the embodiment shown in Figs. 1 and 3, for example, the blunt projection is formed by two faces (25), (32), which form a flat conical surface. See the last paragraph on page 8 of Applicant's specification, and the last sentence on page 4 of the specification. Nothing of the sort is taught or suggested by Tendler or Tendler in view of Lesowsky.

It is noted that in the rejection of Claims 9, 12, 21 and 24 under 35 U.S.C. § 103(a) as being unpatentable over Tendler it is acknowledged that Tendler does not disclose the amount of angle recited in these claims. Respectfully, the allegation of obviousness in this rejection is untenable.

The junction of the tapered nose-portion 20 of the nut 18 with the end of the sleeve 1 of Tendler does not form a punch edge, and the needle point protrusion 28 of the bolt does not meet with the tapered surface 20 of the nut 18 to provide a face that passes smoothly from the punch edge, as recited in Claim 8, for example.

For the foregoing reasons, it is respectfully submitted that independent Claims 1 and 2 and the claims dependent

thereon distinguish patentably from the references and should be allowed.

It is respectfully submitted that dependent Claims 4, 7, 17, 19 and 28 should be rejoined and allowed.

The Office is authorized to cancel the non-elected Claims 6, 30, 32, and 34-36 in order to place this application in condition for allowance.

The Commissioner is hereby authorized to charge to Deposit Account No. 50-1165 (A-10274) any fees under 37 C.F.R. §§ 1.16 and 1.17 that may be required by this paper and to credit any overpayment to that Account. If any extension of time is required in connection with the filing of this paper and has not been separately requested, such extension is hereby requested.

Respectfully submitted,

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